

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Reverend Beck,

Civil No. 05-2114 (RHK/FLN)

Petitioner,

ORDER

v.

Robert Feneis,

Respondent.

Based on this Court's de novo review of the September 23, 2005 Report and Recommendation of United States Magistrate Judge Franklin L. Noel and dPetitioner's Objections thereto, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 4) is **ADOPTED**;
 2. The Objections (Doc. No. 6) are **OVERRULED**;
 3. Petitioner's Motion to Recuse Magistrate Noel and Judge Kyle (Doc. No. 5) is **DENIED**;
 4. Petitioner's application for leave to proceed in forma pauperis (Doc. No. 2) is **DENIED**;
 5. Petitioner's application for writ of habeas corpus (Doc. No. 1) is **DENIED**;
- and

6. This action is summarily **DISMISSED**.

Dated: October 6, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge